

No. 9/5/84-6Lab./9235.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of Haryana Roadways, Hissar.

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 211 of 1980

between

SHRI BHALE RAM, WORKMAN AND THE MANAGEMENT OF M/S. HARYANA ROADWAYS,
HISSAR

Present—

None for the workman.

Shri Jagbir Singh, A.R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman Shri Bahle Ram and the management of Haryana Roadways, Hissar, to this Court, for adjudication,—*vide* Haryana Government Gazette Notification No. ID/HSR/36-80/50695, dated 23rd September, 1980 :—

Whether the termination of services of Shri Bhale Ram was justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent as a Driver for the last about 9 years and his monthly wages were Rs. 475 and all through his work and conduct has been satisfactory but the respondent in spite of that choose to terminate his services unlawfully,—*vide* order dated, 2nd January, 1980 and that last order was passed in flagrant disregard of the principles of natural justice. So, he has prayed for reinstatement with continuity of service and full back wages.

3. In the reply filed by the respondent, the claim of the workman has been controverted *in toto*. Pleas propounded need not be detailed; because this reference is being answered on grounds other than merits.

4. On the pleadings of the parties, the following issues were settled for decision on 22nd December, 1981 :—

(1) Whether the domestic enquiry conducted by the management is fair and proper ?

(2) Whether the termination of services of Shri Bhale Ram was justified and in order ? If not, to what relief is he entitled ?

5. The management went through the gamut of adducing evidence and produced as many as three witnesses and closed his evidence. The workman was given many opportunities to produce his evidence but he failed to produce any, so much so, the workman himself was not coming forth to prosecute his claim. So, the only inference possible is that the workman is not interested in prosecution of this reference and as such, the same is dismissed and answered accordingly. There is no order as to cost.

Dated the 27th September, 1985.

B.P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

Endst. No. 211-80/1650, dated 11th October, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B.P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.